

**BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 2003-327-C**

IN RE: Continued Availability of Unbundled)
High Capacity Loops at Certain Locations and)
Unbundled High Capacity Transport on Certain)
Routes Pursuant to the Federal Communication)
Commission's Triennial Review Order)
_____)

**PBT COMMUNICATIONS, INC.'S OBJECTIONS AND RESPONSES TO
BELLSOUTH'S FIRST REQUESTS FOR PRODUCTION (1-5)**

PBT Communications, Inc. ("PBT"), pursuant to the South Carolina Rules of Civil Procedure, the South Carolina Public Service Commission's Rules of Practice and Procedure (S.C. Code of Regulations R. 103-800, *et seq.*), and Commission Order No. 2003-730 ("Procedural Order"), objects generally to BellSouth Telecommunications, Inc.'s ("BellSouth") First Requests for Production of Documents ("BellSouth's Requests") to PBT, served on December 8, 2003 as described below, and provides the responses to BellSouth's Requests as set forth below.

PBT reserves the right to amend, supplement, or revise these objections, and assert additional objections, should PBT discover additional grounds for objecting at any time prior to hearing.

General Objections to BellSouth's Requests

1. PBT objects to BellSouth's Requests to the extent that they are overly broad, lack specificity, are unduly burdensome or excessively time-consuming, or are irrelevant and not likely to lead to the discovery of admissible evidence pursuant to the Procedural Order, the South Carolina Rules of Civil Procedure, or applicable South Carolina law.

2. PBT objects to BellSouth's Requests to the extent that they seek discovery of information protected by attorney-client privilege, the work product doctrine, the accountant-client privilege, or any other applicable privilege.

3. PBT objects to BellSouth's Requests to the extent that they purport to impose discovery obligations on PBT beyond the scope of what is permitted under the Procedural Order, the South Carolina Rules of Civil Procedure, or applicable South Carolina law.

4. PBT objects to BellSouth's Requests to the extent that they purport to seek discovery of matters other than those subject to the jurisdiction of the Commission pursuant to the Federal Communications Commission's ("FCC") Triennial Review Order ("TRO") or applicable South Carolina law.

5. PBT objects to all Requests that require the disclosure of information that already is in the public domain, that is in the possession of BellSouth or is readily obtainable by BellSouth, or that is otherwise on record with the Commission or the FCC.

6. PBT objects to BellSouth's Requests to the extent that they seek information and discovery of facts known and opinions held by experts acquired and/or developed in anticipation of litigation or for hearing and outside the scope of discoverable information pursuant to the South Carolina Rules of Civil Procedure or applicable South Carolina law.

7. PBT objects to BellSouth's Requests to the extent that they request specific financial, business or proprietary information regarding PBT's economic business model, on the grounds that those requests presume that the market entry analysis is contingent upon PBT's economic business model instead of the hypothetical business model contemplated by the TRO.

8. PBT objects to BellSouth's Requests to the extent that the information requested constitutes "trade secrets" or confidential research, development, or commercial information, or to the extent that the information requested would require the disclosure of customer specific information.

RESPONSES

1. Produce any maps and/or diagrams that illustrate the most current information available for the physical location of your high capacity transport and/or loop facilities within the Southeastern states.

RESPONSE:

PBT objects to this request for production on the grounds that it seeks confidential, proprietary business information the disclosure of which could be damaging to PBT's business.

2. Produce any documents identified in your responses to BellSouth's First Set of Interrogatories in this docket.

RESPONSE:

None.

3. Produce any business case from 2000 to present in your possession, custody, or control that evaluates, discusses, analyzes or otherwise refers or relates to your actual or planned deployment of high capacity transport and/or loop facilities within the Southeastern states.

RESPONSE:

None.

4. Produce any business case from 2000 to present in your possession, custody, or control that evaluates, discusses, analyzes or otherwise refers or relates to your obtaining high capacity transport and/or loop facilities from other persons.

RESPONSE:

None.

5. Produce all documents from 2000 to present referring or relating to how you determine whether or not to deploy high capacity transport and/or loop facilities.

RESPONSE:

None.

Respectfully submitted this 21st day of January, 2004.

/s/ _____
M. John Bowen, Jr.
Margaret M. Fox
MCNAIR LAW FIRM, P.A.
Post Office Box 11390
Columbia, South Carolina 29211
(803) 799-9800

ATTORNEYS FOR PBT
COMMUNICATIONS, INC.

Columbia, South Carolina